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*16WS*

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,819	03/31/2004	Spanky A. Raymond	1842-0010

28078  
 MAGINOT, MOORE & BECK  
 BANK ONE CENTER/TOWER  
 1111 MONUMENT CIRCLE  
 INDIANAPOLIS, IN 46204

CONFIRMATION NO. 5056

## FORMALITIES LETTER



\*OC000000012921415\*

Date Mailed: 06/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
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06/28/2004 JADD01 00000016 10813819 65.00 0P  
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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'M. G.', is positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **1842-0010**

Application of: **Raymond et al.**

Group Art Unit: **3732**

Serial No. **10/813,819**

Examiner: **To be assigned**

Filed: **March 31, 2004**

For: **Tissue Distraction Device**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 on June 22, 2004  
(Date of Deposit)

Michael D. Beck

Name of person mailing Document or Fee

Signature of person mailing Document or Fee

June 22, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the **RESPONSE TO NOTICE TO FILE MISSING PARTS** dated June 10, 2004, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts;
3. Three Declaration and Power of Attorney documents;
4. Check in the amount of \$65.00;
5. Return Postcard;

It is believed that this copy addresses the missing parts notice. It is requested that a new filing receipt be issued reflecting the information in the submitted declaration.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment, to our Deposit Account No. 13-0014. If extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-0014.

June 22, 2004  
Maginot, Moore & Beck  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, IN 46204-5115  
(317) 638-2922 phone  
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Respectfully submitted,

A handwritten signature in black ink, reading "Michael D. Beck". The signature is fluid and cursive, with the first name "Michael" and last name "Beck" clearly legible.

Michael D. Beck  
Attorney for Applicants  
Registration No. 32,722